

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

BURT BOBBY DANIELS et al.,

Plaintiffs,

v.

CATHI HARRIS et al.,

Defendants

No. 09-5542RJB/JRC

ORDER ADOPTING REPORT AND  
RECOMMENDATION

This matter comes before the Court on the Report and Recommendation of Magistrate Judge J. Richard Creatura. Dkt. 52. The Court has reviewed the Report and Recommendation of Magistrate Judge J. Richard Creatura (Dkt. 52), objections to the Report and Recommendation, if any, and the remaining record.

The Report and Recommendation should be adopted. Although in the record as “objections,” Plaintiff Berry’s pleading styled “Plaintiff’s Response to Report and Recommendation” (Dkt. 55), states that the Report and Recommendation should be adopted.

1 This case and all other pending motions should be re-referred to Magistrate Judge J. Richard  
2 Creatura.

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4 The Court does hereby find and **ORDER**:

- 5 (1) The Court **ADOPTS** the Report and Recommendation (Dkt. 52);
- 6 (2) Plaintiff's motion for partial summary judgment is **GRANTED**. The fact  
7 that Defendants did not provide a morning meal to SCC residents  
8 participating in Ramadan for the first six days of the thirty days fasting  
9 period has been established. All other factual and legal issues are still  
10 preserved.
- 11 (3) This case is **RE-REFERRED** to Magistrate Judge J. Richard Creatura for  
12 further proceedings.
- 13 (4) The Clerk is directed to send copies of this Order to plaintiff, and to the  
14 Hon. J. Richard Creatura.

15 DATED this 4th day of February, 2011.

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17 ROBERT J. BRYAN  
18 United States District Judge  
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